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REVIEW OF FURTHER DEVELOPMENTS IN FIELDS WITH WHICH THE SUB-COMMISSION HAS BEEN OR MAY BE CONCERNED

Written statement*/ submitted by the International League for the Rights and Liberation of Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[30 June 2000]

*/ This written statement is issued, unedited, as received from the submitting non-governmental organization(s).

A concrete proposal for the promotion of human rights at national, regional and international levels by civil society and the grass roots

Unresolved political processes are at the roots of many of the conflicts that are still raging today worldwide. They are conflicts for which the international community is called upon to provide solutions and to restore respect for human rights. It is a fact that in the course of the above-mentioned processes and for many reasons, peoples' collective rights have not been respected, causing countless violations of individual rights as a side effect.

The respect of the these rights, epitomized in the right to self-determination, is an eminently juridical principle rooted in the concepts of democracy and personal freedom; nevertheless it is also a political principle whose enforcement depends on the climate, opportunity and suitability in a specific time frame. Thus, while the juridical principle is accepted, the consequences brought about by its enforcement are not. Such a political reading of this right contradicts the principles of justice, peace and co-operation among nations that should govern the international order.

International legislation has highlighted this specific aspect, identifying the development of peaceful relations and avoidance of conflicts between communities as a mechanism within the right to self-determination and its enjoyment.

Article 55 of the United Nations Charter proclaims that "with a view to the creation of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote ..."

Not only does the right of self-determination support individual rights, but it even constitutes the fundamental prerequisite for its very existence and in addition is the basic pillar of democracy in that it allows the citizens' participation in establishing a framework in which they can exercise their rights. Moreover, it is complementary to these rights, its application entailing the establishment of a sound base for overcoming conflicts, promoting respect of human rights and restoring peace.

2. A concrete example

One of the many conflicts the international community has not yet dealt with in order to promote and restore human rights is the case of the Basque people. This conflict, generated by the lack of respect of the rights of a national community living in two multi-national States, is the reality the Basque people have been facing for centuries in the French and Spanish States

The Basque people have moulded their history throughout a long and complex historical process and have created a community with similar as well as very different territorial characteristics in the region defined by the river Atturri (Adour) and the river Ebro in the western Pyrenees. The recent past of this people, torn by wars, impositions, acts of force and the abolition of rights, which have not been re-established as yet, has caused the Basque people to find themselves at the threshold of the XXI century, crushed in-between two States that deny their national identity, in a disarticulated cultural and political reality, in the face of an asymmetric economic and demographic evolution.

This long conflict, in its different expressions, has entailed an unquantifiable level of human rights violations. The repressive attitude of both States as well as the armed response by sectors of the Basque people have engendered countless violent acts that have led to clear-cut violations of individual human rights.

Many unsuccessful efforts have been undertaken in order to restore peace and to overcome the causes of the above-mentioned human rights violations. It is becoming increasingly evident that a peaceful solution can only be found by resolving the origins of the conflict, that is to say, by restoring the Basque people's collective rights and by respecting the citizens' will and their decisions, democratically taken.

3.- Mechanisms to overcome this conflict and to restore the enjoyment of human rights

The main objective will be the creation of mechanisms, instruments and bodies that will promote collective rights, and that by overcoming the logic of repression and political, economic and cultural annihilation previously mentioned will strengthen democracy as well as the full respect of the citizens' will in a scenario free from all expressions of violence.

In order to solve this conflict that has lasted too many years, the Basque people have persisted in their determination to carve out their future and they are today in a position to initiate a phase of popular and democratic construction with a view to achieving recognition of their identity. The search for mechanisms to overcome the conflict as well as formulas for the promotion of collective human rights, resulted in the proposal made by municipal representatives of the whole Basque territory to create a Basque national institution, with a municipal basis, that would assemble the Basque society and defend its identity.

From there comes the idea of Udalbiltza (Assembly of municipalities), the first national Basque institution on a municipal basis in the modern era, with more than 2.500 elected representatives coming from the whole territory.

The characteristics and nature of this body are:

- Popular legitimization: The direct participation of elected councillors in this institution is the guarantee of its proximity to the people, who decide on their mandate and their initiative.

- Full respect of democracy: based on the principles of freedom of expression and association, the Basque municipal representatives have the capacity to define the necessary proposals and directives. Only through a common voluntary will to work together can a truly democratic mechanism be created.

- Open character and personal adhesion of the municipal representatives: the representative themselves freely and individually constitute this national entity.

- Supra-state character. This popular assembly goes beyond the administrative and territorial limits imposed by the French and Spanish States in order to structure and assemble the Basque people on both sides of the border. Other examples exist of cross-border collaboration between communities with natural affinities.

- Representation of all Basque territories and respect of their individual specificity: This institution recognizes in this way the plurality and specificity fully respecting the personality and system of the historical territories.

- Integration process: Udalbiltza does not pretend to replace present institutions, rather it aims at being the first entity to claim national identity for the whole Basque territory. This project is not meant as a confrontation nor division or imposition but rather as an integration process based on respect and recognition of people and territories as well as on the free adhesion of the Basque citizens with the final aim of restoring lasting peace in the region

4. Potentials of Udalbiltza

Udalbiltza is a solution for the people and by the people themselves who has proposed its own mechanisms in order to deepen the structuring as a nation and to promote a relationship between them and the rest of the world.

Municipal representatives consider their initiative as an adequate response to the responsibility that citizens of the Basque country have entrusted to their municipal representatives of promoting a relationship between the Basque people of the six territories. The first challenge Udalbiltza faces is to provide an agreed action by municipal representatives enabling the development of all the spheres of activity and co-operation that identify them as a political, economic, social and cultural community, such as language, culture, sports, environment, territorial planning, economic development, social well-being, etc.

Hence Udalbiltza represents an entity for the promotion of peoples' human rights as well as a method to further develop democracy and the people's participation in the restoration of their collective rights. Furthermore, Udalbiltza constitutes an effective mechanism to eliminate the very origin of the violent conflict opposing the Spanish and French States to the Basque people, that is, to overcome the denial of sovereignty to the Basque people and finally to promote sound bases for peace rooted in justice.

The *International League for the Rights and Liberation of Peoples (LIDLIP)* considers that other peoples also could find in this initiative a useful course of action based on democratic representation of natural communities that allows the restoration of their political, economic, social and cultural rights as well as the solution of conflicts caused by the non-recognition of these rights.

The *International League for the Rights and Liberation of Peoples (LIDLIP)* wishes to present the Udalbiltza model as the expression of the popular will to be directly implicated in the promotion of democracy, as a method to encourage dialogue and understanding in order to progress towards the restoration of the Basque people's identity and, most of all, towards promoting peace at the national, regional and international levels.